IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Larry W. White, James Hunter Enis		
Assignee:	Dell Products L.P.		
Title:	Solution Network Excursion Module		
Serial No.:	10/696,942	Filing Date:	October 30, 2003
Examiner:	Peter D. Coughlan	Group Art Unit:	2129
Docket No.:	DC-05626	Customer No.:	33438

Austin, Texas
December 21, 2006

Mail Stop Appeal Brief - Patents
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF UNDER 37 CFR § 41.37

Dear Sir:

Applicant submits this Appeal Brief pursuant to the Notice of Appeal filed in this case on September 5, 2006 and the Notice of Panel Decision from Pre-Appeal Brief Review dated November 21, 2006 setting the time for response to December 21, 2006. The $500.00 fee for this Appeal Brief is being paid electronically via the USPTO EFS. The Board is also authorized to deduct any other amounts required for this appeal brief and to credit any amounts overpaid to Deposit Account. No. 502264.

I. REAL PARTY IN INTEREST - 37 CFR § 41.37(c)(1)(i)

The real party in interest is the assignee, Dell Products, L.P. as named in the caption above and as evidenced by the assignment set forth at Reel 014656, Frame 0274.

II. RELATED APPEALS AND INTERFERENCES - 37 CFR § 41.37(c)(1)(ii)

Based on information and belief, there are no appeals or interferences that could directly affect or be directly affected by or have a bearing on the decision by the Board of Patent Appeals and Interferences in the pending appeal.

III. STATUS OF CLAIMS - 37 CFR § 41.37(c)(1)(iii)

Claims 1 - 24 are pending in the application. Claims 1 - 24 stand rejected. The rejection of claims 1 - 24 is appealed. Appendix "A" contains the full set of pending claims.

IV. STATUS OF AMENDMENTS - 37 CFR § 41.37(c)(1)(iv)

No amendments after final have been requested or entered.

V. SUMMARY OF CLAIMED SUBJECT MATTER - 37 CFR § 41.37(c)(1)(v)

In one embodiment, the invention relates to a method for identifying excursions to general solutions provided by a solution network which includes identifying excursions to a general solution on a system basis (see e.g., Page 9, lines 18 – 24), saving the excursions within the solution network on a system basis (see e.g., Page 9, lines 24, 25), and when accessing the solution network, searching the solution network to determine whether an excursion solution exists (see e.g., Page 9, lines 26 – 32).

In another embodiment, the invention relates to an apparatus for identifying excursions to general solutions provided by a solution network. The apparatus includes means for identifying excursions to a general solution on a system basis (see e.g., Page 9, lines 18 – 24), means for saving the excursions within the solution network on a system basis (see e.g., Page 9, lines 24, 25), and means for searching the solution network to determine whether an excursion solution exists when accessing the solution network (see e.g., Page 9, lines 26 – 32).

In another embodiment, the invention relates to a solution network (see generally Figure 2) which includes a knowledge repository, an excursion identifying module (see generally Figure 3 and Page10, lines 1 – 19), and a search module. The knowledge repository stores information regarding general solutions to issues and information relating to excursions to general solutions. The excursions are searchable on a system basis (see e.g., Page 9, lines 18 – 24). The excursion

identifying module identifies excursions to the general solutions on a system basis (see e.g., Page 9, lines 24, 25). The search module searches the solution network to determine whether an excursion solution exists when accessing the solution network (see e.g., Page 9, lines 26 – 32).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL - 37 CFR § 41.37(c)(1)(vi)

Claims 1, 5, 9, 13, 14, 17, and 20 stand rejected under 35 U.S.C. § 112, first paragraph.

Claims 1, 8, 9, 16, 17 and 24 stand rejected under 35 U.S.C. § 102(e) over Wu et al., U.S. Patent Publication No. 20040083213 (Wu).

Claims 2 – 7, 10 – 15, and 18 – 23 stand rejected over Collins, et al, U.S. Patent Publication No. 20040243998 (Collins) in view of Markham, U.S. Patent Publication No. 20030158795 (Markham).

VII. ARGUMENT - 37 CFR § 41.37(c)(1)(vii)

Claims 1, 5, 9, 13, 14, 17, and 20 are allowable over 35 U.S.C. § 112, first paragraph.

Claims 1, 9 and 17 stand rejected based upon the term "system basis". However, claims 1, 9 and 17 were amended in the Response filed on April 26, 2006 to set forth "system model basis". It is respectfully submitted that those skilled in the art would appreciate based upon the specification and claims that a "system model basis" is a basis where information is stored based upon a system model. Claims 5 and 13 stand rejected based upon the term "system model identifier". It is respectfully submitted that those skilled in the art would appreciate based upon the specification and claims that a "system model identifier" is an identifier for a system model. Claims 6, 14 and 20 stand rejected based upon the term "system manufacture date". It is respectfully submitted that those skilled in the art would appreciate based upon the specification and claims that a "system manufacture date" is the date on which the manufacture of a system is completed.

Claims 1, 8, 9, 16, 17 and 24 are allowable over 35 U.S.C. § 102(e) over Wu et al., U.S. Patent Publication No. 20040083213 (Wu).

The present invention generally relates to a knowledge management system which includes the ability to flag predetermined systems that have a known exception (i.e., an excursion) and render a solution based upon the known excursion. Exceptions may be identified by manufactured date, component supplier and model. In one embodiment, the knowledge management system creates and maintains a table of service tags with known exceptions. When a customer enters the service tag into the support network search tool, the knowledge management system first checks the exception database for potential exception matches. If an exception is found, the exception solution is rendered. If no exception is found then a normal support search occurs and the identified solution is provided. Additionally, the support network includes support for identifying exception solutions without requiring information technology (IT) intervention.

Wu discloses solution searching. More specifically, Wu provides for solution searching during a session with a user. The user creates a search request for a solution. A data store provides refinement criteria that are displayed to the user. The refinement criteria are associated with the search request. The user then selects the refinement criteria. In response, the data store provides solutions that are displayed to the user. The solutions are associated with the search request and the selected refinement criteria. The user selects the solutions. The search request, the selected refinement criteria, and the selected solutions for the session are then stored in the data store.

Wu, taken alone or in combination, does not teach or suggest a method for *identifying excursions to general solutions* provided by a solution network much less such a method which includes *identifying excursions to a general solution on a system model basis*, saving the excursions within the solution network on a system model basis, and *when accessing the solution network, searching the solution network to determine whether an excursion solution exists*, all as required by claim 1. Accordingly, claim 1 is allowable over Wu. Claims 2 - 8 depend from claim 1 and are allowable for at least this reason.

Wu, taken alone or in combination, does not teach or suggest an apparatus for *identifying excursions to general solutions* provided by a solution network much less such an apparatus includes means for *identifying excursions to a general solution on a system model basis*, means for saving the excursions within the solution network on a system model basis, and means for *searching the solution network to determine whether an excursion solution exists when accessing the solution network*, all as required by claim9. Accordingly, claim 9 is allowable over Wu. Claims 10 - 16 depend from claim 9 and are allowable for at least this reason.

Wu, taken alone or in combination, does not teach or suggest a solution network which includes, a knowledge repository and an excursion identifying module, much less such a solution network where the knowledge repository stores information regarding general solutions relating to issues and *information relating to excursions to general solutions and the excursions are searchable on a system model basis*; the excursion identifying module *identifies excursions to the general solutions on a system basis*; and the search module *searches the solution network to determine whether an excursion solution exists when accessing the solution network*, all as required by claim 17. Accordingly, claim 17 is allowable over Wu. Claims 18 - 24 depend from claim 17 and are allowable for at least this reason.

Claims 2 – 7, 10 – 15, and 18 – 23 are allowable over Collins, et al, U.S. Patent Publication No. 20040243998 (Collins) in view of Markham, U.S. Patent Publication No. 20030158795 (Markham).

Collins discloses restoring a software image of a customer information handling system to the same software image the system had when leaving the factory. The customer information handling system enters a re-imaging mode where the system requests a software download server to recreate the software image originally shipped with that particular information handling system. Once the replacement software image is created, the customer information handling system downloads the replacement software image to the media drive of the customer information handling system.

Markham relates to quality management and manufacturing with labels and smart tags in event based product manufacturing. Markham discloses a process control system which includes sensors which generate an alarm in response to an event. (See e.g., Markham ¶8) Markham sets

forth that events may affect productivity of a process and that adverse productivity events are events that adversely affect the productivity of a process. (See e.g., Markham ¶42.)

Collins and Markham, taken alone or in combination, do not disclose or suggest storing an excursion exception within the solution network based upon a unique system identifier, as required by claim 2 and as substantially required by claims 10 and 18. Accordingly, claims 2, 10 and 18 are allowable over Collins and Markham.

Collins and Markham, taken alone or in combination, do not disclose or suggest that the unique system identifier upon which the excursion exception is stored is a service tag as required by claim 3 and as substantially required by claims 11 and 19. Accordingly, claims 3, 11 and 19 are allowable over Collins and Markham.

Collins and Markham, taken alone or in combination, do not disclose or suggest storing the excursion exception within the solution network based upon a part identifier as required by claim 4 and as substantially required by claims 12 and 20. Accordingly, claims 4, 12 and 20 are allowable over Collins and Markham.

Collins and Markham, taken alone or in combination, do not disclose or suggest storing the excursion exception within the solution network based upon a system model identifier as required by claim 5 and as substantially required by claims 13 and 21. Accordingly, claims 5, 13 and 21 are allowable over Collins and Markham.

Collins and Markham, taken alone or in combination, do not disclose or suggest storing the excursion exception within the solution network based upon a system manufacture date as required by claim 6 and as substantially required by claims 14 and 22. Accordingly, claims 6, 14 and 22 are allowable over Collins and Markham.

Collins and Markham, taken alone or in combination, do not disclose or suggest searching the solution network for solutions when no excursion solution exists where the searching determines whether an excursion solution exists and is performed before searching the solution network for general solutions, as required by claim 7 and as substantially required by claims 15 and 23. Accordingly, claims 7, 15 and 23 are allowable over Collins and Markham.

VIII. CLAIMS APPENDIX - 37 CFR § 41.37(c)(1)(viii)

A copy of the pending claims involved in the appeal is attached as Appendix A.

IX. EVIDENCE APPENDIX - 37 CFR § 41.37(c)(1)(ix)

None

X. RELATED PROCEEDINGS APPENDIX - 37 CFR § 41.37(c)(1)(x)

There are no related proceedings.

XI. CONCLUSION

For the reasons set forth above, Applicant respectfully submits that the rejection of pending Claims 1 - 24 is unfounded, and requests that the rejection of claims 1 - 24 be reversed.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on December 21, 2006.

/Stephen A. Terrile/

Attorney for Applicant(s)

Respectfully submitted,

/Stephen A. Terrile/

Stephen A. Terrile
Attorney for Applicant(s)
Reg. No. 32,946

CLAIMS APPENDIX "A" - 37 CFR § 41.37(c)(1)(viii)

1. A method for identifying excursions to general solutions provided by a solution network comprising:

identifying excursions to a general solution on a system model basis;

saving the excursions within the solution network on a system model basis; and,

when accessing the solution network, searching the solution network to determine whether an excursion solution exists.

2. The method of claim 1 further comprising:

storing the excursion exception within the solution network based upon a unique system identifier.

3. The method of claim 2 wherein:

the unique system identifier is a service tag.

4. The method of claim 1 further comprising:

storing the excursion exception within the solution network based upon a part identifier.

5. The method of claim 1 further comprising:

storing the excursion exception within the solution network based upon a system model identifier.

6. The method of claim 1 further comprising:

storing the excursion exception within the solution network based upon a system manufacture date.

7. The method of claim 1 further comprising:

searching the solution network for general solutions when no excursion solution exists, the searching the solution network to determine whether an excursion solution exists being performed before searching to solution network for general solutions.

8. The method of claim 1 wherein:

the system includes an information handling system.

9. An apparatus for identifying excursions to general solutions provided by a solution network comprising:

means for identifying excursions to a general solution on a system model basis;

means for saving the excursions within the solution network on a system model basis; and,

means for searching the solution network to determine whether an excursion solution exists when accessing the solution network.

10. The apparatus of claim 9 further comprising:

means for storing the excursion exception within the solution network based upon a unique system identifier..

11. The apparatus of claim 10 wherein:

the unique system identifier is a service tag.

12. The apparatus of claim 9 further comprising:

means for storing the excursion exception within the solution network based upon a part identifier.

13. The apparatus of claim 9 further comprising:

means for storing the excursion exception within the solution network based upon a system model identifier.

14. The apparatus of claim 9 further comprising:

means for storing the excursion exception within the solution network based upon a system manufacture date.

15. The apparatus of claim 9 further comprising:

means for searching the solution network for general solutions when no excursion solution exists, the searching the solution network to determine whether an excursion solution exists being performed before searching to solution network for general solutions..

16. The apparatus of claim 9 wherein:

the system includes an information handling system.

17. A solution network comprising:

a knowledge repository, the knowledge repository storing information regarding general solutions to issues, the knowledge repository storing information relating to excursions to general solutions, the excursions being searchable on a system ~~bases~~ model basis;

an excursion identifying module, the excursion identifying module identifying excursions to the general solutions on a system model basis;

a search module, the search module searching the solution network to determine whether an excursion solution exists when accessing the solution network.

18. The solution network of claim 17 wherein:

the excursions are identifiable based upon a unique system identifier..

19. The solution network of claim 18 wherein:

the unique system identifier is a service tag.

20. The solution network of claim 17 wherein:

the excursions are identifiable based upon a part identifier.

21. The solution network of claim 17 wherein:

the excursions are identifiable based upon a system identifier.

22. The solution network of claim 17 wherein:

the excursions are identifiable based upon a system manufacture date.

23. The solution network of claim 17 further comprising:

a general search module, the general search module searching the solution network for general solutions when no excursion solution exists, the searching the solution network to determine whether an excursion solution exists being performed before searching to solution network for general solutions..

24. The solution network of claim 17 wherein:

the system includes an information handling system.

EVIDENCE APPENDIX - 37 CFR § 41.37(c)(1)(ix)

None

RELATED PROCEEDINGS APPENDIX - 37 CFR § 41.37(c)(1)(x)

There are no related proceedings.